IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

APPEAL FROM ORDER NO.892 OF 2004
IN
NOTICE OF MOTION NO.____ OF 2004
IN
SUIT NO.3860 OF 2004

Poona Judo Association).. Appellant (Org.Plaintiff)

Versus

Maharashtra Judo Association).. Respondent (Org.Defendant)

Dr.V.V.Tulzapurkar i/b.Mr.S.G.Karandikar and Mr.A.R. Vaidya for the Appellant.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 30TH NOVEMBER 2004

P.C.:

. The Plaintiff has been removed from the primary membership of the Defendant Association. The question is whether such primary membership could be cancelled without amending the Constitution. The meeting of which the Plaintiff sought a stay has already been held and, therefore, the relief sought in the Motion is not necessary to be considered at this stage. The only issue involved in the present Suit is whether the cancellation of the Plaintiff's membership has been effected in accordance with the Constitution governing the Association. The entire Suit, in my view, can be disposed of by hearing the parties expeditiously and in any event before 30th April 2005 since the next meeting would be held in May 2005. All questions agitated in the present Appeal can be agitated in the Suit itself.

2. Appeal From Order disposed of accordingly.